



**Montgomery County, MD
Commission on People with Disabilities
Meeting Summary Minutes
January 11th, 2012**

Welcome and Approval of December Meeting Summary Minutes:

Trish Gallalee, Chair, convened the meeting. Due to time constraints the December Meeting Summary Minutes were not voted on. They will be approved at the February Commission Meeting.

The Honorable Phil Andrews, Councilmember, Montgomery County Council

Councilmember Phil Andrews has worked on several issues with the Commission on People with Disabilities (CPWD) including the Pedestrian Winter Safety Act that enacted a snow-clearing law in 2001, the Smoke-Free Restaurant Law that was passed in 2003, and the Hiring Preference Bill for veterans and persons with disabilities that was enacted in May, 2010.

Mr. Andrews noted that Nancy Greene is working on the Department of Justice ADA Settlement Agreement. The County is in the process of redesigning its website, which will include accessibility features. The new website is slated to be unveiled sometime this year.

Mr. Andrews is in support of a Charter Amendment that would allow the County to establish a Schedule A program similar to the Federal Government's program. County Executive Ike Leggett is also in support of a Schedule A Charter Amendment. Mr. Andrews will educate his colleagues on the benefits of a Schedule A system, but he encouraged CPWD to meet with each Councilmember to brief them on the importance of the issue. Now is the time to lay the groundwork before the budget meetings begin in April. He also suggested raising awareness by running an article in the Gazette as it would reach both the public and Councilmembers.

The County Council has the final decision whether or not this would be on the ballot for November, 2012. The earliest the Council would vote on this issue would be June. If it does go on the ballot, it will require a major effort to educate the public about Schedule A. If the Charter Amendment does not pass, it will be several years before it can be added to the ballot again. If it does pass, then legislation would need to be drafted to implement the Charter Amendment.

Angela Washington stated up to 10 people have been hired under the hiring preference, but that hiring has been limited due to the current hiring freeze. Of those hired under the preference most have been veterans. Fire and Rescue Services (FRS) are currently recruiting and Office of Human Resources (OHR) is working with them to ensure they enforce the hiring preference. In cases where departments do not select an individual under the preference they must justify their decision in writing to Joe Adler, Director of OHR, who then has to approve it.

The County Council will be receiving the Capital Budget for Fiscal year 2013 from the County Executive next week. There will be public hearings on the budget in February. He encouraged Commissioners to testify on items that are of interest to CPWD. The County Council will receive the Operating Budget for Fiscal Year 2013 from the County Executive in March. Mr. Andrews expects another tough budget year. The State of Maryland has a \$1B budget deficit and he expects the State will cut aid to counties in some areas in order to close that gap. There is concern that the State will shift pension costs to the counties which could potentially add millions of dollars to the County budget and impact other programs. While the County does provide Montgomery County Public Schools (MCPS) with a budget, they do not set the salaries for school employees.

Mr. Andrews would like to receive comments and updates on MetroAccess and if any improvements have been made in service over the last few years.

Mr. Andrews is interested in the issue of improving accessibility in housing. He has had some discussions with builders that have resulted in additional number of units with accessibility features. The market is currently moving towards multi-family units because of trends in the building industry. It will be important to educate the builders and get them on board for increasing accessibility when creating new units.

Trish Gallalee, Chair, commented that one of the issues raised during a Housing Policy Committee meeting was that housing in the new White Flint sector will feature retail space on the bottom level with town homes above. There is concern that the town homes will not have elevator access and will not be accessible. Mr. Andrews will share this concern with the County Council and the planning board.

Charlie Crawford, Vice Chair, noted that WMATA is currently in the planning stages to secure a new contract for MetroAccess that will affect the entire paratransit system. Mr. Andrews will bring this to the attention of Roger Berliner, County Council President and Chair of the Transportation Committee.

Workgroup Goal Updates:

Charlie Crawford, Chair, Transportation Workgroup, is continuing to work on issues pertaining to safety, disability parking, and MetroAccess.

Mark Maxin, Chair, Employment Workgroup, gave an update on the Charter Review Commission meeting that was held on January 11, 2012. Testimonials were given by people who had been hired through Schedule A. Veterans explained the positive impact of hiring veterans with disabilities. Lu Merrick, Commissioner, discussed the National Institute of Health's [Project SEARCH](#) program that provides education and training to young adults with intellectual and developmental disabilities through a 30-week internship program.

Catherine Mello, Commissioner, Housing Workgroup, reported that the Workgroup is drafting a letter to Housing Opportunities Commission (HOC) about taking inventory of accessible features in their housing stock. The Design for Life Montgomery Workgroup is still meeting on a monthly basis with the builders to work on outreach and promotion.

Update on Group Home Licensing:

Jay Kenney, Chief, Aging and Disability Services, reported that the County Council is introducing [Bill 40-11: Group Homes – Developmental Disabled Adults](#) that would exempt certain group homes for developmentally disabled adults which are licensed by the state from the County group home licensing law. This bill would eliminate duplication in the licensure and inspection process thus reducing costs to the providers who run these group homes. Montgomery County is the only jurisdiction that has local licensing requirements on top of state licensing requirements.

Betsy Luecking indicated that the issue of duplicative group home licensing was originally brought to the attention of Health & Human Services by former Commissioner Irving Shapiro.

Motion: Charlie Crawford introduced the motion that "The Commission supports the issue of removing duplicate certification for group home providers of developmental disabled adults." Mark Maxin, Commissioner, seconded the motion. A vote was taken and the motion was approved unanimously.

A public hearing about Bill 40-11 will be held on Tuesday, January 24, 2012, at 1:30 p.m. at the County Council Office Building, 100 Maryland Avenue, 3rd Floor Hearing Room, Rockville, MD 20850.

Chair and Vice Chair Report:

Trish Gallalee, Chair, reported that last year the CPWD sent a letter to County Executive Isiah Leggett supporting that mandatory accessible housing law that would require 50% of new homes to be built to be accessible. The Commission wrote a letter to County Executive Leggett requesting his support of this legislation and he responded that he did not support a mandatory program at the time and advised the CPWD to work on a voluntary program and to continue outreach for the Design for Life Montgomery program.

The Design for Life Montgomery Workgroup has been meeting with the builders and discussing the option of an incentive program for builders who construct accessible homes or developments. Incentives could include reduced permitting fees or tax credits. The State of Virginia now offers a \$5,000 tax credit to entice builders to outfit homes with features that make them more accessible. It was suggested that tax credits be offered to the buyer as well. In 2011, Maryland General Assembly [House Bill 437 – New Homes – Minimum Visitability Features](#) was passed. This bill requires home builders to offer as an option on new homes in subdivisions of 11 or more homes or 3 or more model homes a model that would make the home accessible by a person with a mobility disability. This bill will take effect October 1, 2012.

The issue of funding for modifying homes to make them accessible was discussed. The Department of Housing and Community Affairs (DHCA) administers the Single Family Home Improvement Loan Program, but the funds or grants are for people with very low incomes. The Housing Initiative Fund, also administered by DHCA, promote a broad range of housing opportunities in the County in order to assist in alleviating the difficulties of many low and moderate income households in obtaining and maintaining housing at costs that they can afford. HIF funding can and has been used to: fund new construction; preserve existing homes; support new rental construction; finance the substantial rehabilitation of rental housing; support the preservation or development of senior, family, or special needs housing being developed by nonprofit or for profit sponsors; and support the preservation or development of single-family, town house and apartment buildings.

Councilmember Phil Andrews suggested that CPWD recommend to the County Executive and County Council for the Housing Policy Committee to develop ways to produce substantial number of accessible and visitable units. He suggested that the Commission need not recommend all the details but instead to recommend the outcome that they recommend.

Motion: Charlie Crawford introduced a motion on this issue that was that was amended after discussion to “The Commission supports the voluntary Design for Life Montgomery program and any incentives the builders along with the workgroup have proposed; and recommends to the County Executive and County Council to find a way in its housing policy to produce a substantial number of homes with basic accessibility.” Mark Maxin, Commissioner, seconded the motion. The motion passed with 16 fors, 2 against, and 2 abstained.

Roundtable: None.

Community Speaks: None.

Meeting adjourned at 7:30 p.m.

Next Full Commission Meeting: Wednesday, February 8th, 2012 – Executive Office Building, 101 Monroe Street, Lobby Auditorium, Rockville, Maryland, 20850 – 6:00 p.m. to 7:30 p.m.

Steering Committee Meeting: Wednesday, February 15th, 2012 – 401 Hungerford Drive, Rockville, Maryland, 20850 – 1st Floor Tan Conference Room, 5:30 p.m. to 7:00 p.m.

Submitted by: Carly Clem, Office Services Coordinator
Betsy Luecking, Disability Policy Specialist